HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.20603 of 2005

Dated 20th September, 2005

Between:

Kotha Harinadha Reddy .. Petitioner

And

The Andhra Pradesh State

Power Distribution Co. Ltd., Tirupathi and

Another .. Respondents

HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.20603 of 2005

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not acquiring the land to an extent Ac.01.00 cents out of Ac.03.00 cents in Sy.No.19 situated in Vangimalla village, Veeraballi Mandal, Kadapa District under the provisions of the Land Acquisition Act, 1894 as arbitrary and illegal.

The learned counsel for the petitioner has contended that without issuing any notice, the respondents are proposing to construct a sub-station in the petitioner's land and that they have not acquired his land in accordance with the provisions of the Land Acquisition Act, 1894, and therefore, he prays to allow the writ petition.

On the other hand, the learned standing counsel for the respondents has contended that the petitioner's representation is pending and an opportunity may be given to the respondents to dispose of the representation in accordance with law.

The claim of the petitioner is that he is the owner of Ac.03.00 cents of land situated in Vangimalla Village,Veeraballi Mandal, Kadapa District in S.No.19. Out of Ac.03.00 cents of land, the respondents are making constructions for installation of 11 KV line in an extent of Ac.01.00 cents of land. According to the petitioner, no notice is given to him and the respondents have not acquired the said extent of land in accordance with law.

Therefore, without expressing any opinion on the merits of the case, I consider it appropriate to direct the respondents not to make any further constructions in the land of the petitioner and if the respondents propose to make any constructions, the land may be acquired in accordance with law.

The writ petition is disposed of in terms of the above direction. No costs.

20.09.2005

bcj